

REMARKS

Claims 1, 2, 4-26 and 97-108 are currently pending with claims 1, 15 and 21 being independent. Claims 27-96 have been canceled, claims 1, 15, and 21 have been amended to recite that the receiving unit is provided at a first end of the first housing opposite a second end of the first housing at which the hinge is located, and claims 103-108 have been added. Support for the amendment can be found, for example, in Figs. 1A, 2B, 2D and 3A. Support for new claims 103-108 can be found, for example, in Figs. 1A, 2B, 2D and 3A. No new matter has been introduced.

Claims 1, 2, 4-26 and 97-102 have been rejected as unpatentable over Edwards (U.S. Patent Publication Number 2002-0077160) in view of Yoon (U.S. Patent Number 6,697,083). Applicant requests reconsideration and withdrawal of this rejection because no proper combination of Edwards and Yoon would have resulted in the receiving unit being provided at a first end of the first housing opposite a second end of the first housing at which the hinge is located.

Initially, applicant disagrees that Edwards and Yoon may be properly combined to put the receiving unit in the cover of Edwards (which corresponds to the first housing) at all, let alone at a first end opposite a second end at which the hinge is located. As previously noted, Edwards states, in paragraph [0020] that "the antenna of certain handheld devices, such as satellite phones, must extend above the user's head" and that the "cover 24 operates as an extender for antenna 21" and "extends beyond the user's ear so that it provides the highest possible antenna base without requiring an antenna extension or the like." Thus, Edwards indicates that it is important to maximize the distance that the antenna extends from the components with which it operates, which would weigh against moving components to the cover of Edwards. Moreover, in order to maintain a consistent distance between the microphone and the speaker (which the rejection equates with the transmitting and receiving units), the size of the device of Edwards would need to be reduced if the microphone or speaker were moved to the cover, and this, in turn, would lower the antenna base, which is contrary to the purpose of Edwards.

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In addition, even if one were to put a receiving unit in the cover of Edwards, given Edwards stated purpose to have the cover operate as an extender for the antenna, nothing in Edwards or Yoon would have led to the placement of the receiving unit at a first end of the cover opposite a second end at which the hinge is located. Such placement would result in the first end of the cover being at the user's ear, and the second end of the cover being between the user's ear and the user's mouth, such that the cover could in no way serve as an extender for the antenna.

Accordingly, for at least these reasons, the rejection should be withdrawn.


Applicant submits that all claims are in condition for allowance.

The fee in the amount of \$120 for the one month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

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